Passed

Sectt. M-27—50,003—4-1-52.

HOME (1952.) Department.

Ms SERIES.

G.O. NO. 3580

Dated 7th October 1952

[Despatch Abstract.]

Courts - Criminal - South Kanara district Addl First class Magistrate (Prohibition) and staff - Retention - Sanctioned

BOARD OF REVENUE(EXCISE) DEPARTMENT

Sub: Courts - Criminal-South Kanara District - Additional first Class Magistrate (Prohibition) and staff - further retentions - proposals.

Read: District Magistrate, South Kanara C3.4735/52 dated 2-8-52. ff 3-4 Inclus

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C.R.No. 32086 Abk/52 XA1
Station:Triplicane, Madras-5 Dated: 20-8-52

From

Sri V. Krishnamurti, B.A.,
Assistant Secretary, Board of Revenue(Excise)

Sri V.N.Kudva I.C.S.,
Member, Board of Revenue and Commissioner of Commercial Taxes.

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Reference: 155612 26.8.52

The Board submits to Government the reference cited from the District Magistrate, South Kanara. The work turned out by the Additional first class Magistrate (Prohibition) during the period from 1-8-51 to 15-7-52 justifies his retention. The Board supports the proposal of the District Magistrate for the continuance of the Additional first Class Magistrate and his staff for a further period of one year from 1-11-52.

f. 3-4 Col. Insp

submitted for formal. Home Dept remarks of the Hyd. Govt on the copy of the Bd's Refer sent to it may be awaited till 15.9.52 28.8.1952

R below

22.8.52

ff 3-7(K)

Assistant Secretary.

To

The Secretary to Government,
Home Department.

Copy to the Registrar, High Court, Madras. (with one enclosure

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CVM 21/8 22/8 24/8/52

Copy of the letter from the District Magistrate, South Kanara, Ref. G3. 4735/52 dated 2-8-52.

Sub: Courts - Criminal - South Kanara District - Additional I Class Magistrate (Prohibition) and staff - further retention - requested.

Ref: G.O.Ms.No.3998 Home Department dated 16-10-1951.

In G.O. Ms.No.3998 Home Department dated 16-10-51 the Government sanctioned the retention of one Additional I Class Magistrate, one Lower Division Clerk, one typist, one attender and two peons upto 31-10-1952 for the trial of cases relating to offences under the Madras Prohibition Act. The following are the statistics showing the number of cases received and disposed of in that court during the years 1951-52 (i.e.) from 1-8-51 to 15-7-52.

1. Total No. of cases received.	1908
2. Total No. of cases disposed of	1580
3. Total No. of property items received	1214
4. Total No. of fine items imposed.	1223

From the statistics given above it will be seen that the work in that court is steadily increasing, and that there is every need for its further retention. The Magistrate is at present holding courts for the four days of the week at 4 Taluk Head quarters (i.e.) Puttur, Karkal,

p.t.o.

Udipi and Kasargod and for the remaining days at Mangalore. The cases under the Prohibition Act arising in the Coondapur taluk are being dealt with by the Sub Divisional Magistrate Coondapur as the Taluk Headquarters of Coondapur taluk is 91 miles, from Mangalore and as much of the time of the magistrate in the week will be spent on this lengthy tour. Except Coondapur taluk the A.F. C.M. (Prohibition) is having jurisdiction over the rest of the District and all charge sheets under the Madras Prohibition Acts are filed before this Magistrate. As the number of cases received is large and as the pendency is heavy, the retention of the additional I Class Magistrate and the staff for a further period of one year is quite necessary.

The Government have sanctioned the retention of a Assistant Public Prosecutor Grade II for prosecuting cases under the Madras Prohibition Act upto 30-6-53 in G.O.Ms.No.2212 Home Department dated 19-6-52. 1 11 of (c)

I request that the Government may be pleased to sanction the further retention of one Additional I Class Magistrate, one Lower Division Clerk, one Typist, one attender and two peons, for a further period of 1 year from 30-10-1952.

1.11.52

/ True Copy /

CVM 21/8 24/11/52

K. Kamalingam
Superintendent. 24/11/52

Hmm

Pl. Dis. 39/52/9

urgent — Memo No. 155612 Courts II/52-1 dated 15.9.52

Courts - criminal - South Kanara district. A.F.C.M (Prohibition) and staff - Retention beyond 31-10-52 - Proposal.

Ref:- From the Board of Revenue (Excise) Madras. C.R. No 32026. Abk/52-XA-1 dated 20.8.52

plante

x

The Registrar, High Court, Madras is requested to state, (not later than 30.9.52), when the remarks of the Judges on the proposal of the Board of Revenue (Excise) in the letter cited may be expected.

15.9.52

To
The Registrar
High Court
Madras.
(R.D. 1.10.52)

Upd
15.9.52
15.9.52

R.O.C.No.6382/52-D.3

From

Sri R. Jayaram Ayyar, M.A., B.L.,
Registrar, High Court, Madras.

To

The Secretary to Government,
Home Department, Fort St. George,
MADRAS

DATED 17TH SEPTEMBER 1952

Sir, 1-71938

Sub: COURTS - Criminal - South Kanara District - Additional First Class Magistrate (Prohibition) and staff - Retention - Proposals.

Ref: (1) Letter C.R.No.32026 AEK/52-A dated 20-8-1952 from the Board of Revenue and
(2) Letter Ref.C.3.4735/52 dated 2-8-1952 from the District Magistrate, South Kanara (copies sent to Government)

I am to state that the Honourable the Judges recommend the retention of the Additional First Class Magistrate (Prohibition) and staff in South Kanara District for a further period upto 31-12-1952 or till the scheme of Separation of Judiciary is given effect to in the district, whichever is earlier.

Necessary provision has been made in the budget for the purpose.

R. Jayaram

REGISTRAR

VSM/TRL

[cno 155612 cts II/52]

Home Dept

G.O.Ms No. 3580 Dated 7.10.52

Courts - Criminal - South Kanara district - A.F.C.M (Prohibition) and Staff - Retention - Sanctioned.

—x—

Read:- G.O.Ms No. 3998 Home Dated 16.10.51.

From the Bd of Rev (Excise) Madras C.R.No. 32026-Abk/52-XA-1 Dated 20.8.52

From the High Court Madras R.O.C.No. b382/52-D-3 Dated 17.9.52

—x—

ORDER:-

Government sanction the retention upto 31-3-53 or till the need ceases, whichever is earlier, of the following temporary staff in the South Kanara district last sanctioned in G.O.Ms No. 3998 Home Dated 16.10.51.

(1) One Additional First class Magistrate
(2) One lower division clerk
(3) One typist . . . . . .
(4) One attender; and
(5) Two peons.

The expenditure should be debited to the relevant sub-head of appropriation under "27-Administration of Justice - h. Criminal Courts".

30.9.52 1.10.52

1.X.1952

To
The Registrar,
High Court Madras
The D.M. South Kanara
The Bd of Rev (Excise) Madras
The A.G. Madras
The Fin Dept

NOTE:- Please see the Board's Refce and its enclosure pp1-4cf and the High Court's letter on p7cf. The Bd of Rev (Excise) has recommended the continuance of

to A. Pr. CM (Prohibition) and staff sanctioned in G.O. Ms. No. 5998 Home dated 16.10.51, for a further period of one year from 1-11-52. The High Court has however recommended the retention of the A.P.C.M and staff for a further period only upto 31-12-52 or till the scheme of separation of Judiciary is given effect to in the South Kanara district whichever is earlier. Presumably the Government intend to announce in parliament the decision to separate the Judiciary in the district before the 31st December 1952 or shortly after the prohibition staff is transferred to the Judicial Department.

In making the recommendation at X above, the High Court is apparently under the impression that the Separation Scheme is likely to be introduced in the South Kanara District shortly. Pub (Sep) Dept recently stated in another connection that the question of extending the Sep. scheme to the remaining districts will be taken up only after the Committee of Enquiry sends its report which is expected only in November and that there is no immediate prospect of the extension of the Scheme. For orders whether the retention of the A.P.C.M (Prohibition) and staff in S. Kanara Dt. may therefore be sanctioned upto 31.3.53 or till the new cases pending in courts are disposed of, whichever is earlier subject to orders the draft order is for approval. It may be sent to Fin. for acceptance.

1.10.52

1.10.52

1.10.52

Fin. (E1)

The draft order overleaf may be accepted.

3.10.52

Home Dept.

4/10/52 May issue 6.10.52

(Issued as G.O. Ms. No. 3588 Home dated 6.10.52)

ADDITIONAL DEPUTY SECRETARY TO GOVT. 71756 DS 3 OCT 1952 E1 FINANCE DEPARTMENT

From 71756